

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

JESSIE W. PEARSON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:05-CV-418-T
)	
DAVID MCNAIR, et al.,)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR LEAVE TO SUPPLEMENT AFFIDAVIT

COME NOW former Jail Administrator David McMichael, incorrectly designated as "David McNair" and Jason Cowart, incorrectly designated as "Officer Kyle", Defendants in the above-styled cause, and submit this Motion for Leave to Supplement their Special Report with the executed affidavit of Blake Jennings. As grounds for so moving the Defendants state as follows:

1. Defendants filed their Special Report on June 20, 2005.
2. Attached to the Special Report was the unexecuted copy of the Affidavit of Blake Jennings and David McMichael which Defendants indicated they would seek permission to supplement when they received the executed affidavits.
3. Plaintiff will not be prejudiced by this supplementation.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that this Honorable Court grant their Motion for Leave to Supplement the affidavit of Blake Jennings, attached to their Special Report with the signed and executed Affidavit filed contemporaneously with this Motion.

Respectfully submitted this the 23rd day of June, 2005.

s/Amanda Allred

GARY L. WILLFORD, JR. Bar Number: WIL198

AMANDA ALLRED Bar No. ALL079

Attorneys for Defendants

WEBB & ELEY, P.C.

7475 Halcyon Pointe Drive

P.O. Box 240909

Montgomery, Alabama 36124

Telephone: (334) 262-1850

Fax: (334) 262-1889

E-mail: aallred@webbeley.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 23rd day of June, 2005, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

Jessie Pearson
Tallapoosa County Jail
316 Industrial Park Drive
Dadeville, AL 36853

s/Amanda Allred

OF COUNSEL